

REMARKS/ARGUMENTS

The present response is being filed within two (2) months after the mailing date of the final rejection.

Claims 1, 3-20, 22-24 and 27 remain in the application.

5 Claims 1, 3, 18, 23 and 24 are currently amended.

Claims 9-20, 22 and 27 stand allowed.

Claim Objections

Claims 18-24 were objected to for an informality of including the word "and" after the word "fixed" in line 3 of claim 18. Correction is made herein as required by the examiner.

10 Claims 18-24 are now believed to be allowable.

Claim Rejections Under 35 USC § 112

Claims 23 and 24 were rejected under 35 USC § 112, second paragraph, for failing to provide sufficient antecedent basis for the limitation "permanently bendable" in line 2 of each of claims 23 and 24. Correction is made herein as required by the examiner.

15 Claims 23 and 24 are now believed to be allowable.

Claim Rejections Under 35 USC § 102

Claims 1, 3, 4 and 8 were rejected under 35 USC § 102(b) over US Patent 6,540,184 to Thaxton.

20 Claim 1 is currently amended to clearly limit the scope of the support rods to "each being limited to only a solitary nonextensible member of single-piece construction having a substantially uniformly solid cross-section extended substantially continuously between opposing first and second end portions and being substantially independently permanently bendable in three dimensions along substantially an entire length thereof between the first and second end portions." Claim 1 thus incorporates the limitations recited in claim 9 and found to be allowable by the examiner.

25 Furthermore, as in claim 9, the phrase "being limited to only" is included in regard to the support rods for limiting the support rods to the construction shown in the application drawings and described in the specification.

Such limitations are believed to overcome the complex and multi-part construction of the four bendable flexible legs 42 in the stand 34 of Thaxton, wherein each "leg 42 is an insulated wire 58 of fairly heavy gauge, such as an automotive battery cable. Each leg 42 has a layer of elastomeric electrical insulation 60 which covers the metal core." Column 3, lines 35-40. Each leg 42 is "a non-continuous piece of metal surrounded by plastic of sufficient flexibility to provide the desired characteristics. A bundle of wires 58 surrounded by an exterior sheath 60 as shown in FIG. 4 may be used to create each leg 42." Column 3, lines 50-59.

Thus, the support rods of the present invention are distinguished by "each being limited to only a solitary nonextensible member of single-piece construction having a substantially uniformly solid cross-section extended substantially continuously opposing first and second end portions," as now recited in claim 1.

For at least the above reasons, claim 1 is now believed to be allowable.

Claims 3, 4 and 8 are allowable at least as depending from now allowable base claim 1.

The claims now being in form for allowance, reconsideration and allowance is respectfully requested.

If the Examiner has questions or wishes to discuss any aspect of the case, the Examiner is encouraged to contact the undersigned at the telephone number given below.

Respectfully submitted,

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